



"The City With a Heart"

Larry Franzella, Mayor  
Irene O'Connell, Vice Mayor  
Rico E. Medina, Councilmember  
Jim Ruane, Councilmember  
Ken Ibarra, Councilmember

## MINUTES

### CITY COUNCIL REGULAR MEETING

April 8, 2008  
7:00 p.m.

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** The San Bruno City Council met in regular session on April 8, 2008 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

**Mayor Franzella** thanked the San Bruno Garden Club for the beautiful flower arrangement.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Franzella with Vice Mayor O'Connell and Councilmembers Ruane, Medina and Ibarra in attendance. Recording by Clerk Bonner. **City Attorney Thompson** led the Pledge of Allegiance.

#### **3. ANNOUNCEMENTS:**

Introduce Capuchino High School Students in Attendance to Observe the City Council Meeting in Preparation for the 48<sup>th</sup> Annual Youth in Government Week, Co-Sponsored by the San Bruno Lion's Club and City of San Bruno. **Mayor Franzella** asked each of the students to introduce themselves and share the office they would be holding in their mock Council meeting.

#### **4. PRESENTATIONS:**

**Mayor Franzella** presented a Proclamation Declaring April 21-25 as West Nile Virus and Mosquito and Vector Control Awareness Week to **Robert Riechel** who thanked the City of San Bruno for their continued support.

**5. REVIEW OF AGENDA:** **Mayor Franzella** moved Item 11. to follow Item 8.

**6. APPROVAL OF MINUTES:** Regular Council Meeting of March 25, 2008, stand approved as submitted.

**7. CONSENT CALENDAR:** All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by a Councilmember, citizen or staff.

- a. **Approve:** Payroll of March 21, 2008.
- b. **Approve:** Accounts Payable of March 17 and 24, 2008.
- c. **Approve:** Out-of-State Travel for Public Works Staff to Attend the American Water Works Association Annual Conference & Exposition in Atlanta Georgia from June 8, - June 12, 2008.

**M/S Medina/Ruane** to approve the Consent Calendar and passed with all ayes.

#### **8. PUBLIC HEARINGS:**

Hold Public Hearing, Waive First Reading, and Introduce an Ordinance To Limit Commercial Vehicles for Hire or Advertised for Hire To Operate and Park On Established Street Routes By Amending Chapter 7.24, "Restricted Street Use," of Title 7 (Vehicles and Traffic) of the San Bruno Municipal Code.

**City Attorney Thompson** gave an overview of the staff report and suggested citations are infractions, which are administered by the traffic court. She recommended increasing the fine to \$50 to \$100, which she would bring forward by resolution at the next meeting.

**Vice Mayor O'Connell** asked if a fine could be set at \$50. and accelerated with increased infractions? **City Attorney Thompson** said no.

**Councilmember Ibarra** asked if there has been any reduction in the limousines parking in the neighborhood. **Commander Campi** said there has been some from the education. **Ibarra** asked why they prefer to park there. **Campi** said he believed it was based on convenience. **Ibarra** said, if the occupant was in a parked limousine in the area, would the police be able to cite them, if enacted? **Campi** said this is what the ordinance would allow them to do.

**Robert Riechel, 7<sup>th</sup> Avenue** thanked the City for addressing this problem.

**Mayor Franzella** opened the Public Hearing.

**M/S Medina/Ruane** to close the public hearing and passed with all ayes.

**M/S Ruane/O'Connell** to waive the first reading. **Councilmember Medina** asked if guidance should be given as to the amount of the fine between \$50 and \$100? **Mayor Franzella** suggested \$75 to \$100 in order to discourage. All were in favor. Waiving the first reading passed with all ayes.

**Councilmember Ruane** introduced the ordinance for adoption and passed with a unanimous vote.

11. Receive Senior Advisory Board Annual Report (moved to follow Item 8.)

**Karen Hornung**, Treasurer, Senior Advisory Board gave an introduction and introduced **Loretta Groulx** who introduced **Elisa Gerald** who presented a video of the many activities which take place at the Senior Center. **Mayor Franzella** thanked the Board for their report.

## **9. CONDUCT OF BUSINESS:**

a. Receive Presentation on Public Mural Projects Selected by the Culture and Arts Commission.

**John Alita, Interim Library Director** gave a brief background on the project and introduced the artists chosen to do the two murals.

Jenna Beers and Marianne Bland displayed a poster board of the work they would be doing at the old San Bruno Lumber site, which depicted the past to the present in San Bruno.

**Mayor Franzella** asked what this would be placed on. **Jenna** said they would be done on plywood panels placed on a wooden fence, which could be moved.

**Councilmember Ibarra** asked how tall would this be? **Jenna** said it would be about six feet tall and fifty feet long.

**Vice Mayor O'Connell** asked about the type of coating to be used for anti-graffiti? Jenna said they did research and they found one, which resists markers and stickers. They added they would come out do repairs if needed.

**Councilmember Ruane** asked about UV? Jenna said they would use light color non-yellowing exterior paint.

**Boris Coodrin** presented a sketch of his planned mural to be placed at the rear of the old Wells Fargo site.

**Vice Mayor O'Connell** thanked Boris for his fine work. **Mayor Franzella** thanked both.

b. Receive Annual Report from City Treasurer and Adopt Resolution Approving the City of San Bruno Investment Policy.

**Treasurer Marty** presented the annual report for San Bruno's Investment Policy.

**Councilmember Ruane** introduced the resolution for adoption and passed with a unanimous vote.

c. Adopt Resolution Establishing Encroachment Permit Requirements for AT&T's Lightspeed Initiative.

**City Manager Jackson** recused herself from this item because of her husband's employment and recused herself from Item d. because she is a participant in the home loan program.

**Finance Director O'Leary** gave an overview of the encroachment permit requirements.

**Ken Mintz, Director of External Affairs, AT&T** gave a history of telephones going from wire to data use to high-speed internet service. In the expanded capabilities required for technology, he said there is a need for better network infrastructure.

**Mayor Franzella** said while it sounded great, he envisioned 200 AT&T boxes scattered throughout the community filled with graffiti.

**Ken Mintz** said they are looking at a maximum of 50 boxes and graffiti is a major issue. He said the new boxes will be built of a material which the technicians can remove unwanted graffiti with a solvent. The boxes will be identified as AT&T and there will be an 800 number posted if a resident has any issue with the box. He also said they have email, [Graffiti@ATT.com](mailto:Graffiti@ATT.com). In response to **Mayor Franzella**, **Mintz** said they will work with the City's engineering staff in placement of the boxes to ensure placement is conducive within the public right-of-way. He said these electronic cabinets need to be in close proximity to the existing boxes.

**Councilmember Ruane** stated he felt we had visual blight coming to our City and asked the City Attorney where the fine line is on what is allowed to come to our City. **City Attorney Thompson** said the implementation of DIVCA/AB 297 took place in order for telephone companies to streamline their entrance into the cable market. The PUC is the sole franchising authority for new video services, statewide. They have complete control.

**Councilmember Medina** referencing maintenance of the boxes said he wanted to be on the same page with AT&T as to his expectation of the boxes good condition. Additionally, regarding turn-around time; he felt could be better than is being done today. **Mintz** asked what our turn-around time is for the City. **Mayor Franzella** said for graffiti, the same day or twenty-four hours. **Mintz** said they shoot for forty-eight hours.

**Vice Mayor O'Connell** said there has been a lot of discussion about the new boxes but she was concerned about the old boxes, the placement of the new boxes and a telephone number on those boxes; what would prohibit the graffiti artist from blocking out the number? **Mintz** said the size of the box has been reconfigured to be similar to the existing cabinets. Placement is determined by where the box is being placed.

**City Attorney Thompson** said the Council's first concern is graffiti does not take place. She said as part of the encroachment condition, AT&T has to specify two things, one, the person who is responsible for graffiti abatement (Mintz); second, an agent for service of process for legal action. If they fail to abate graffiti in a timely fashion, the City would be in a position to file either civil or criminal action against this corporate entity.

**Councilmember Ibarra** said with the 50 in existence today, 50 additional would make 100 boxes of roughly the same size. He asked about placing these boxes underground. **Mintz** said there has been discussion; however, these boxes are electronics cabinets with fiber optics running into them and require environmental control, which the present boxes do not. He said in order to put them underground, they would have to be placed in a controlled environmental vault, a sunken room, minimum of six by ten feet, down a minimum of sixteen feet and a lot of extra equipment. By placing these underground, a bigger disturbance would be created.

**Mayor Franzella** asked for action from Council. **City Attorney Thompson** said if no one passes the resolution, they have the right to come to the City and they will. Adopting the resolution does not mean promotion of AT&T, it means understanding the conditions they will be here.

**Councilmember Ibarra** asked if someone wanted to change the look of the boxes, was it legal? **City Attorney Thompson** said she would not recommend damaging their property. People can make a choice whether they want to support their business or not.

**Vice Mayor O'Connell** asked if there was a state number people could call. **City Attorney Thompson** suggested our legislatures as well as the PUC. She also added she would find out if there was more information.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote.

d. Adopt Resolution Amending the City's Employee Home Loan Assistance Program Related to Lending Criteria and Refinancing.

**Finance Director O'Leary** gave an overview of the amended resolution outlining three changes and asked for questions.

**Councilmember Ruane** introduced the resolution for adoption and passed with a unanimous vote.

e. Adopt Resolution Amending the Master Fee Schedule to Approve Park and Recreation Program Fees.

**Recreation Services Manager Brewer** gave the history and philosophy behind some of the changes and **Interim Parks & Recreation Manager Mines** addressed the changes and the history and philosophy of the rental of the facilities and asked for questions.

**Mayor Franzella, Vice Mayor O'Connell and Councilmembers Ibarra and Medina** addressed many questions including comparison of what other cities are doing, insurance, fees charged to non-profits and schools, residents and non-residents, fees charged to play basketball, and concession stand fees.

**Councilmember Medina** asked it to be noted this was brought to Council on July 10, 2007 and the staff report said it was approved by Council, he asked this be corrected to show acknowledged by Council.

**Mayor Franzella** was concerned with passing an increase of \$6.50 to \$10.00 in one year for players and he felt it should be phased over a two-year period, \$1.75 this year and \$1.75 next year. Going forward, he asked this be watched closely so we don't get behind. **Councilmember Medina** added non-residents should be charged more, \$12.00 and \$15.00 the next year. **Recreation Services Manager Brewer** said these fees would not be effective until next year in order to give notice since the user groups have already been charged this year.

**Councilmember Medina** asked the user fee on youth open gym be reduced from \$2.00 to \$1.00.

**Mayor Franzella**, summarizing:

- 1) Field user fees \$6.50 to \$8.25 to \$10.00 (over a two year period) resident; non-residents, \$12.00 to \$15.00 (over a two year period);
- 2) Concession stand proposed flat fee. Mayor Franzella asked this come back to Council within two weeks to determine the cost to operate the stand;
- 3) Youth basketball – leave at \$2.00, for 17 and under, Council voted three in favor of leaving at \$2.00;
- 4) Half Meeting room, non-resident fee, rented two to three times a month, reduced to \$175.00.

**Councilmember Ibarra** introduced the resolution for adoption with changes and passed with a unanimous vote.

f. Adopt Resolution Amending the Salary Plan for Unclassified, Part-time, Temporary and Seasonal Employee Classifications.

**Management Analyst Yi** gave an overview of the staff report and asked for questions.

**Councilmember Medina** asked, in the future, the old rates be shown so there is a point of comparison. He introduced the resolution for adoption and passed with a unanimous vote.

g. Adopt Resolution Approving Installation of Two New STOP Signs at the Southernmost Intersection of DeSoto Way and Santa Lucia Avenue at the Santa Lucia Avenue Leg and at the Southern DeSoto Way Leg of the Intersection.

**Engineer Lind** reviewed the staff report, which proposed two new stop signs at DeSoto and Santa Lucia, one being raised. **Mayor Franzella** said he did not think the proposal would be esthetically pleasing in a residential neighborhood. He said if the street alignment is to be changed, so should the sidewalk. He agreed with staff's proposal to keep the existing stop signs at DeSoto and Santa Lucia. He said this should come back to Council. **Engineer Davis** said staff brought forward a proposal that was economical. He said they would go back and refine the design. **Mayor Franzella** emphasized if it was to be done, it should be done right.

**Vice Mayor O'Connell** and Councilmembers **Ibarra**, **Medina** and **Ruane** agreed with the Mayor.

h. Adopt Resolution Authorizing Repair of Water Line Serving the Community Gardens and 4-H Premises and Establishing Policy Related to Repairs and Water Service Costs.

**Vice Mayor O'Connell** introduced the resolution for adoption and passed with a unanimous vote.

**10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:**

**Cecilia Toun**, Representative for the Girl Scouts of Northern California, spoke on the change of management at Carlton Corners and asked if the Girl Scouts could continue to use the facility for free.

**Mayor Franzella** said the City is prohibited by law from allowing one group to use one of their facilities for free and another group being charged. He said the Girl Scouts are welcome to take it over providing all insurance and other requirements are met.

**11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:**

Receive Senior Advisory Board Annual Report (moved to follow Item 8.)

**12. COMMENTS FROM COUNCIL MEMBERS:**

**Councilmember Ibarra** talked about Youth in Government and the students who will be coming to City Hall next Tuesday, as well as the Mock Council Meeting to be held at Capuchino High on Friday morning.

**Vice Mayor O'Connell** said "Faces and Places" would be taking place again and if anyone had photographs to share, please drop them at the City Clerk's office or her email address found on San Bruno's website by April 15. She also reminded everyone that "Operation Clean Sweep" is coming up Saturday, May 3, at 9:00 a.m. at City Park. The Beautification Task Force and Cable TV have put together an anti-litter commercial aired on Channel 11.

**13. CLOSED SESSION:**

**14. ADJOURNMENT:** There being no further business to transact, the meeting concluded at 9:50 p.m. The next City Council Meeting will be held on April 22, 2008 at 7:00 p.m. at the City Hall, 567 El Camino Real, San Bruno, CA.

Respectfully submitted for approval  
at the regular City Council Meeting of  
April 22, 2008

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Carol Bonner, City Clerk

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Larry Franzella, Mayor